

The Director of Central Intelligence

Washington, D.C. 20505

29 April 1988

The Honorable David L. Boren, Chairman
Select Committee on Intelligence
United States Senate
Washington D.C. 20510


Dear Mr. Chairman:

Attached for your information is the 1 May 1988 Interim Report from the National Academy of Public Administration (NAPA), which is conducting a study of the Intelligence Community's civilian personnel management and compensation systems. The study has been undertaken to meet a requirement expressed in the Fiscal Year 1988 Intelligence Authorization Act. In accordance with the Conference Report accompanying the Act, a second interim report will be transmitted to you on 1 August 1988 and a final report on 20 January 1989.

The Interim Report describes NAPA's progress thus far. To date, much of the effort has consisted of organizational work, the establishment of a baseline understanding of the intelligence personnel systems being studied, and the identification of specific issues that will receive close scrutiny in the coming months. An Intelligence Community steering group has worked closely with the NAPA study staff over the last few months to provide assistance and information, and senior Community managers have furnished guidance on personnel policy issues. I am confident that the NAPA team has acquired a good understanding of the Community and is moving to address the problems that concern us.

A copy of this Report is also being forwarded to the Chairman, House Permanent Select Committee on Intelligence.

Sincerely yours,



William H. Webster

Enclosure:
NAPA Interim Report

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SUBJECT: First Interim Report--National Academy of Public Administration
(NAPA) Study of Civilian Personnel Systems

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(25 April 1988)

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1. How intelligence agency civilian personnel systems differ from the competitive service and from each other (CIA, NSA, DIA, civilian intelligence personnel under Departments of Army, Navy, Air Force)

The following chart shows some major differences between the competitive civil service system and the CIA, NSA, DIA, and military intelligence civilian personnel systems:

<u>Activity or Subject</u>	<u>Competitive Service</u>	<u>CIA</u>	<u>NSA</u>	<u>DIA</u>	<u>Military Intelligence (Civilian Personnel)</u>
Excepted service vs. competitive service/status	Appointees are subject to OPM rules for competitive civil service, and acquire competitive status	By statute, CIA is excepted service; CIA appointment does not confer competitive status	Same as CIA	Same as CIA	Personnel can be either excepted or competitive depending on application of OPM established criteria for Schedule A military intelligence civilian positions
Determination of qualifications standards, recruitment, testing, and selection	OPM determines qualifications standards for given positions; prescribes the competitive examinations or other competitive selection procedures to be used; and places employees on registers of eligibles in rank order	CIA performs these functions independently for itself, pursuant to its enabling legislation; Agency has unique occupations and conditions of employment not present in competitive service; Agency identifies, recruits, and tests or selects prospective employees under its own authority and procedures, and is not subject to the register system	Same as CIA	Same as CIA	OPM permits agencies to establish their own qualification standards, within limitations, for excepted service positions and determine qualifications of individuals. Each service identifies, recruits, and selects prospective employees under authority delegated by OPM and is not subject to the register system
Veterans preference in hiring	Yes	No	No	Yes	Yes

<u>Activity or Subject</u>	<u>Competitive Service</u>	<u>CIA</u>	<u>NSA</u>	<u>DIA</u>	<u>Military Intelligence (Civilian Personnel)</u>
Power of appointment	By agency appointing officer from register of eligibles, following the rule of three, pursuant to rules from OPM prescribing who may be an appointing officer	By Agency's Director of Personnel under authority of CIA enabling law	By Director of NSA or designee, pursuant to authority under NSA's enabling law	By Director of DIA as designated by the Secretary of Defense	By each Service Secretary through the command chain to an installation's personnel officer
TOP SECRET level security screening for all positions, including polygraph interview and background investigation as prerequisite to employment and as condition of continued employment	No	Yes	Yes, except unique accesses required by statute	Yes, except that polygraph interview not required (such interviews are required for DIA employees when they are detailed to CIA or NSA)	Yes, except that polygraph interview is generally required only of those to be assigned or detailed to CIA, NSA, DIA or to special access programs
Overseas employment time limits prescribed by OPM	Yes	No	No	No	Yes

<u>Activity or Subject</u>	<u>Competitive Service</u>	<u>CIA</u>	<u>NSA</u>	<u>DIA</u>	<u>Military Intelligence (Civilian Personnel)</u>
Classifications of positions under the Classification Act and pay under the General Schedule	Subject to OPM rules governing position classification; required by law to follow General Schedule	Exempt by law from GS system and OPM rules, but follows GS system generally as a matter of administrative convenience	Exempt by law from GS system and OPM rules, but required to establish pay in relation to General Schedule	Same as NSA	Same as competitive
Promotion	Based on "rank in position" whereby individual is entitled to the grade of the position occupied	Based on "rank in person" concept whereby individual brings grade with self to the position occupied	Follows "rank in position" approach although not subject to competitive service rules prescribed by OPM	Same as NSA, with limited "rank in person" authority	Same as competitive
Reduction in force procedures	Employees at same "competitive level" in same geographic or organizational "competitive area" "compete" with one another for retention based on tenure, veterans preference, length of service, and performance. Employees are ranked on retention registers, and given	DCI has discretionary authority to terminate employees determined to be excess to needs of the service; Agency is not subject to competitive service RIF procedures	Follows OPM regulations to the extent consistent with NSA statutory authority	Follows modified competitive service rules	Generally, same as competitive service; however, assignment rights to positions outside an employee's competitive level are not granted by OPM or Service-wide regulation, but may be extended as a matter of individual Service career

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	certain substantive and procedural (e.g., appeal) rights if released from employee's competitive level				program, command, or installation policy. Excepted service employees cannot compete with competitive service employees
Adverse actions (suspensions, downgrading, reduction in pay, furlough, removal)	OPM prescribes procedures; agency decisions are appealable to Merit Systems Protection Board (except suspension of 14 days or less)	Independent procedures; Enabling statutes do not provide for appeal of Agency decisions outside Agency	Follows OPM procedures; employees may not appeal terminations outside the Department of Defense where such appeal would be inconsistent with national security; preference eligible employees are treated as required by law	Follows OPM procedures; except that during Fiscal Years 1986 and 1987, employees may not appeal terminations outside the Department of Defense where such appeal would be inconsistent with national security; preference eligible employees are treated as required by law	Follows OPM procedures